

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

UNITED STATES DISTRICT COURT

for the

Northern District of Indiana

Division

FILED

JUL 03 2023 - PM12:03

ND DISTRICT COURT

Northern District of Indiana

Chanda J Berta - Clerk

rec# SB1341

Centless

Centless Creations LLC & Associates

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

South Bend Police Department,
South Bend Code Enforcement

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No.

3:23cv628

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Centsless Creations LLC & Associates		
Address	1515 O'Brien St		
	South Bend	IN	46628
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	St. Joseph		
Telephone Number	269-262-2642		
E-Mail Address	Sales@CentslessCreations.Com		

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	South Bend Police Department		
Job or Title <i>(if known)</i>			
Address	701 W Sample St		
	South Bend	IN	46601
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	St. Joseph		
Telephone Number	574-235-9201		
E-Mail Address <i>(if known)</i>	dherron@southbendin.gov		
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

Defendant No. 2

Name	South Bend Code Enforcement		
Job or Title <i>(if known)</i>			
Address	227 W Jefferson Blvd		
	South Bend	IN	46601
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	St. Joseph		
Telephone Number	574-235-9486		
E-Mail Address <i>(if known)</i>	Claims@southbendin.gov		
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

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Defendant No. 3

Name

Job or Title *(if known)*

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address *(if known)*

☐ Individual capacity ☐ Official capacity

Defendant No. 4

Name

Job or Title *(if known)*

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address *(if known)*

☐ Individual capacity ☐ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against *(check all that apply)*:

- ☐ Federal officials (a *Bivens* claim)
- ☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials? The Fourth Amendment, protects people from unreasonable searches and seizures by the government. The Fourteenth Amendment, No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.
- Administers of South Bend Police in full uniform and on surveillance searched private property owned by Centsless Creations LLC without Insurgent Circumstances while claiming "we are being punished for karma".

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?
AT Centsless Creations LLC's Primary Facility, 1515 Obrien St South Bend, IN 46628
- B. What date and approximate time did the events giving rise to your claim(s) occur?
January 20th 2023, 1030-11AM
- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*
South Bend Police Administrators came to Centsless Creations LLC's Primary Facility on Jan20th2023. Without Warrant nor Insurgent Circumstances they searched multiple Custom Art Vehicles owned by one of our owners "Robin Peppers", which were in the process of being finished. They then drove down the block to lay in wait in an ambush position for 40 minutes without contacting any member of management nor following instructions on the front of the building pointing visitors to the main entrance. Than without warrant or insurgent circumstances SBPD Detained our employees and Unlawfully Barred Entry into private property. Administrators of SBPD then Seized all the vehicles associated with C.C.LLC claiming it was for "Karma" for not stating the owners name, and for supposed " Undocumented Parking Violations" while leaving vehicles parked the same method on both sides of our property. They Seized and without due process redistributed 2 Custom Art Vehicles and our employees Homestead Vehicle. We have detailed recordings of SBPD Administrators issuing False Statements to deny return of property as well as over 1 hour of video surveillance.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Complete Loss of Vehicles and Property, Construction Materials, Supplies, Labor Costs, Legal Fees, Loss of Wages, Unnecessary Physical and Financial Burden, & Emotional Distress.

"Robin Peppers" has been harassed multiple times in the past by St. Joseph County Administration, including threatening letters from judges which he published, parking city vehicles on his property which he documented, unlawful "AMAX" Solitary Confinement for 6 months while a "Pre-trial Detainee", Etc. He suffers from documented PTSD from the experiences and has suffered tremendous physiological trauma as well as the financial loss of both private owned property and his life investment into his company.

Centsless Creations LLC is a licensed and insured fabrication and automotive customization company that thrives in taking multiple vehicles and combining them. There is no lawful reason our property was seized, refused to be returned, and then transferred ownership without due process. There is no lawful reason our employees had to suffer being threatened and detained by SBPD and had her Homestead Seized for knowing her rights. We have Surveillance, Cell Phone Video, Recorded Phone Calls & Documentation of Police Abuse of Power.

We were robbed JUST like they did "Robin Peppers" in 2014 when SBPD robbed his home at gunpoint, Quote Officer Joseph Mitchel "SBPD does what it wants and then justifies it after the fact" Ref Depo 2014.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

We are seeking the Maximum allowed by this 1983 suit.

\$10,000,000 in physical and punitive damages, legal fees and court costs.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 06/19/2023

Signature of Plaintiff



Printed Name of Plaintiff

Robin Peppers, Administrator of Centsless Creations LLC

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address